

1 BUCHALTER NEMER
 2 A Professional Corporation
 3 PETER G. BERTRAND (#87883)
 4 RICHARD C. DARWIN (#161245)
 5 333 Market Street, 25th Floor
 6 San Francisco, California 94105-2126
 7 Telephone: (415) 227-0900
 8 Facsimile: (415) 227-0770
 9 rdarwin@buchalter.com

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 11 Attorneys for Defendant
 12 COMERICA BANK
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17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**

19
 20 ROBERT PRITIKIN, et al.,
 21 Plaintiffs,
 22 v.
 23 COMERICA BANK, et al.,
 24 Defendants.

25 CASE NO. C09 03303 RS

26 **PROOF OF SERVICE**

27
 28 I am employed in the County of San Francisco, State of California. I am over the age of
 29 18 and not a party to the within action. My business address is at BUCHALTER NEMER, A
 30 Professional Corporation, 333 Market Street, 25th Floor, San Francisco, California 94105-2126.

31 On the date set forth below, I served the foregoing document described as:

32 **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND**
 33 **REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT**
 34 **JUDGE**

35
 36 on all other parties and/or their attorney(s) of record to this action by _____ faxing and/or
 37 X placing a true copy thereof in a sealed envelope as follows:

38
 39 Joseph Camenzind , IV
 40 Law Offices of Robert Lubin
 41 177 Bovet Road
 42 Suite 600
 43 San Mateo, CA 94402
 44 BN 4102235v1

45 Kenneth Pritikin
 46 Law Offices of Kenneth Pritikin
 47 2950 Buskirk Avenue
 48 Suite 300
 49 Walnut Creek, CA 9459

Robert M Lubin
Law Offices of Robert Lubin
177 Bovet Rd
Suite 600
San Mateo, CA 94402

BY MAIL I am readily familiar with the business' practice for collection and processing of correspondence for mailing with the United States Postal Service. The address(es) shown above is(are) the same as shown on the envelope. The envelope was placed for deposit in the United States Postal Service at Buchalter Nemer in San Francisco, California on August 3, 2009. The envelope was sealed and placed for collection and mailing with first-class prepaid postage on this date following ordinary business practices.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on August 3, 2009, at San Francisco, California.

Lucy Gerace

Lucy Gerace
(Signature)